

OCA#150004

ORDINANCE NO. 49-408

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2012-00024

A zone change from SF-5 Single-Family Residential ("SF-5") to LC Limited Commercial ("LC"), subject to platting within a year of approval by the Governing Body and with the provisions of Community Unit Plan DP-327 on an approximately 38.09-acres property described as:

Tract 1: The Southwest Quarter of Section 32, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas,

EXCEPT A tract described as beginning at the Northwest corner of the South half of the Southwest Quarter; thence East along the North line of the South half of the Southwest Quarter 410.25 feet; thence South parallel with the West line of said South half of the Southwest Quarter 315 feet; thence East parallel to the North line of the South half of the Southwest Quarter 211 feet; thence South parallel with the West line of the South half of the Southwest Quarter 198.75 feet; thence West 621.25 feet to a point in the West line of the Southwest Quarter; thence North 513.75 feet to the point of beginning, in Section 32, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas;

AND EXCEPT Part of the Southwest Quarter of Section 32, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence N 0°00' E along the West line of said Southwest Quarter 1315.39 feet to the Northwest corner of the South half of said Southwest Quarter; thence N 89°47'23" E along the North line of said South half 160 feet to a point of beginning, said point being the Easterly right of way of Maize Road; thence N 2°10'38" W along the Easterly right of way of Maize Road 316.44 feet; thence S

89°40'51" E 617.16 feet; thence S 89°40'51" E 617.16 feet; thence S 0°00' E 647.76 feet; thence S 0°03'54" E 111.85 feet; thence S 84°40'41" W 122.59 feet; thence S 6°37'38" E 54.11 feet; thence S 89°47'23" W 28.19 feet to a point 621.25 feet East of the West line of said Southwest Quarter; thence N 0°00' E parallel with the West line of said Southwest Quarter 198.75 feet; thence S 89°47'23" W 211 feet; thence N 0°00' E 315 feet; thence S 89°47'23" W along the North line of said South half 250.25 feet to the point of beginning;

AND EXCEPT a tract described as commencing at the Southwest corner of the East half of the South half of said Southwest Quarter; thence N 90°00'00" W (assumed) along the South line of said Southwest Quarter 140.00 feet; thence N 00°00'00" E 626.16 feet; thence S 90°00'00" E 626.16 feet; thence S 00°00'00" W 626.16 feet; thence N 90°00'00" W 486.16 feet to the point of beginning;

AND EXCEPT a tract described as commencing at the Southwest corner of the East half of the South half of said Southwest Quarter; thence N 90°00'00" W (assumed) along the South line of said Southwest Quarter 140.00 feet to the point of beginning, being the Southwest corner of a tract of land recorded in the Register of Deeds Office on Warranty Deed in Film 1207 Page 248; thence along the South line of said Section N 90°00'00" W 40 feet; thence N 00°00'00" E 626.16 feet; thence N 90°00'00" E 40 feet to the Northwest corner of said Deed; thence S 00°00'00" W 626.16 feet along the West line of said Deed to the point of beginning;

AND EXCEPT that portion of said Southwest Quarter platted as Fox Ridge Addition and Fox Ridge 2nd Addition

Tract 2: Part of the Southwest Quarter of Section 32, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence N 0°00' E along the West line of said Southwest Quarter 1315.39 feet to the Northwest corner of the South half of said Southwest Quarter; thence N 89°47'23" E along the North line of said South half 160 feet to a point of beginning, said point being the Easterly right of way of Maize Road; thence N 2°10'38" W along the Easterly right of way of Maize Road 316.44 feet; thence S 89°40'51" E 617.16 feet; thence S 89°40'51" E 617.16 feet; thence S 0°00' E 647.76 feet; thence S 0°03'54" E 111.85 feet; thence S 84°40'41" W 122.59 feet; thence S 6°37'38" E 54.11 feet; thence S 89°47'23" W 28.19 feet to a point 621.25 feet East of the West line of said Southwest Quarter; thence N 0°00' E parallel with the West line of said Southwest Quarter 198.75 feet; thence S 89°47'23" W 211 feet; thence N 0°00' E 315 feet; thence S 89°47'23" W along the North line of said South half 250.25 feet to the point of beginning;

AND

Tract 3: A tract described as beginning at the Northwest corner of the South half of the Southwest Quarter; thence East along the North line of the South half of the Southwest Quarter 410.25 feet; thence South parallel with the West line of said South half of the Southwest Quarter 315 feet; thence East parallel to the North line of the South half of the Southwest Quarter 211 feet; thence South parallel with the West line of the South half of the Southwest Quarter 198.75 feet; thence West 621.25 feet to a point in the West line of the Southwest Quarter; thence North 513.75 feet to the point of beginning, in Section 32, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas;

AND

Part of the Southwest Quarter of Section 32, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence N 0°00' E along the West line of said Southwest Quarter 1315.39 feet to the Northwest corner of the South half of said Southwest Quarter; thence N 89°47'23" E along the North line of said South half 160 feet to a point of beginning, said point being the Easterly right of way of Maize Road; thence N 2°10'38" W along the Easterly right of way of Maize Road 316.44 feet; thence S 89°40'51" E 617.16 feet; thence S 89°40'51" E 617.16 feet; thence S 0°00' E 647.76 feet; thence S 0°03'54" E 111.85 feet; thence S 84°40'41" W 122.59 feet; thence S 6°37'38" E 54.11 feet; thence S 89°47'23" W 28.19 feet to a point 621.25 feet East of the West line of said Southwest Quarter; thence N 0°00' E parallel with the West line of said Southwest Quarter 198.75 feet; thence S 89°47'23" W 211 feet; thence N 0°00' E 315 feet; thence S 89°47'23" W along the North line of said South half 250.25 feet to the point of beginning; generally located on the northeast corner of 29th Street North and Maize Road.

SUBJECT TO A PLATTING WITHIN ONE YEAR OF APPROVAL BY THE GOVERNING BODY AND THE PROVISIONS OF COMMUNITY UNIT PLAN DP-327

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, December 11th, 2012.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney